

## LAW ENFORCEMENT

The West Hurley Public Library recognizes and strives to follow the practices of the American Library Association Code of Ethics, Article III, "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted," to the fullest extent of our abilities. The Library also supports the rights and privacy of our patrons with "Civil Practice Laws and Rules Section 4509 Library Records." [See Confidentiality of Library Records Policy]

The Library Director has been designated as the person responsible for handling law enforcement requests. **All Library staff should understand that it is lawful to refer the agent or officer to an administrator in charge of the Library, and that they do not need to respond immediately to any request.** Staff should call the Director or the Board President if appropriate.

### During a visit:

1. If anyone approaches a staff member alleging to be a law enforcement official requesting information, **DO NOT DISCLOSE ANY INFORMATION.**
2. Ask for identification and then immediately refer the agent or officer to the library Director. If she/he is not available, the Board President or the Board Vice President should be contacted. Photocopy identification or take business card.
3. Director or other officer will meet with the agent and ask to see the court order(s) (for example, search warrant, subpoena, National Security Letter) authorizing law enforcement.
4. If the agent or officer does not have a court order compelling the production of records, the director or officer should explain the Library's confidentiality policy and/or the state's confidentiality law (NYS 4509) and inform the agent or officer that users' records are not available except when a proper court order in good form has been presented to the Library.
5. If there is no court order presented the FBI and /or local law enforcement has no authority to compel cooperation with an investigation or require answers to questions (other than the name and address of the person speaking to him/her). If the agent or officer makes an appeal to patriotism, the Director will explain that, as good citizens, the Library staff will not respond to informal requests for confidential information, in conformity with professional ethics, First Amendment freedoms and state law.
6. If the agent or officer does present a court order the Director should immediately refer the court order to the Library's legal counsel for review.

West Hurley Public Library Legal Counsel:  
Mainetti, Mainetti & O'Connor, PC  
303 Clinton Avenue, Kingston, NY 12401  
Tel: 845-943-4397

### If the court order is in the form of a subpoena:

- Counsel will examine the subpoena for any legal defect including the manner in which it was served on the library, the breadth of its request, its form, or an insufficient showing of good cause made to a court. If a defect exists, counsel will advise on the best method to resist the subpoena.
- Through legal counsel the Director will insist that any defect be cured before records are released and that the subpoena is strictly limited to require release of specifically identified records or documents.
- The Attorney or Director will require that the agent, officer, or party requesting the information submit a new subpoena in good form and without defects.
- The Attorney and Director will review the information that may be produced in response to the subpoena before releasing the information. They will follow the subpoena strictly and will not provide any information that is not specifically requested in it.
- If disclosure is required, the Library's Attorney will draft a request to the court to enter a protective order keeping the information confidential and limiting its use to the particular case. The document will ask that access be restricted to those persons working directly on the case.

**If the court order is in the form of a search warrant:**

- Search warrants are executable immediately. However, ask to have Library counsel present before the search begins to allow counsel to examine the warrant and assure that the search conforms to the terms of the warrant. This request may not be granted.
- Gather records identified in the warrant and present them rather than allowing non-library personnel to go through the Library's databases or records.

**If the court order is a search warrant issued under the Foreign Intelligence Surveillance Act (FISA) (USA PATRIOT ACT amendment):**

- The recommendations for a regular search warrant still apply. However, a search warrant issued by a FISA court also contains a "gag order." That means that no person or institution served with the warrant can disclose that the warrant has been served or that records have been produced pursuant to the warrant
- The Library and its staff must comply with this order. No information can be disclosed to any other party, including the Director if not present at the time warrant is served and the patron whose records are the subject of the search warrant.
- The gag order does not change a library's right to legal representation during the search. The Library can still seek legal advice concerning the warrant and request that the Library's legal counsel be present during the actual search and execution of the warrant.

**If the court order is a National Security Letter:**

The procedure is the same as for a search warrant. However, a gag order applies. The Director will contact Library counsel. If the Director is not available, contact the Board President or Board Vice President. She/he may request that the Library's legal counsel be present during the search and that the search be delayed until counsel examines the court document. If law enforcement chooses to proceed, the Library must comply.

The Board recognizes that it is only through continued public confidence in the fact that these guidelines are being upheld that the public can maintain its confidence in the West Hurley Public Library.

Revised by the Board of Trustees: November 20, 2019

**Kara's Comments:**

Samples: <https://midhudson.org/topics/director-resources/policies/policies-external/>

Comments: Do we include the same law firm?

## PROGRAMMING

Programs will provide additional opportunities for information, learning, community engagement and enrichment. The Library does not allow programming that is solely for commercial, religious, or political purposes.

Selection of library program topics, speakers, courses, classes and resource materials will be made by Library personnel on the basis of the interests and needs of Library users and the community. Library staff may use, but are not limited to, the following criteria in program planning and co-sponsorship:

- a. Relation to library mission and service goals
- b. Community needs and interest
- c. Presentation quality and treatment of content for intended audience
- d. Presenter background/qualifications/reputation
- e. Availability of program space
- f. Budget and staffing considerations
- g. Connection to other community programs, exhibits or events

In scheduling events, Library-initiated programming is prioritized. Age restrictions or guidelines on programs will be listed with event details when relevant. Registration may be required for some programs and space may be limited. Library sponsorship of a program does not constitute an endorsement of the content of the program or views expressed at the program.

Libraries may partner with other agencies and organizations to present programs. Any sales of products (i.e. books or CDs) at the Library programs must be approved by the Library.

The West Hurley Public Library uses various third-party virtual platforms such as Zoom, GoToMeeting, YouTube, Facebook, and others to offer services around communication, collaboration and projects, etc. The Library may also display links to third-party services or content. By following the links, you may be providing some personally identifying information (including, but not limited to name, username, email address, and password) directly to a third-party. You acknowledge and agree that West Hurley Public Library is not responsible for how those third-parties collect or use your information. We encourage you to review the privacy policies of every third-party website or service that you visit or use, including those third-parties with whom you interact through our Library services.

The library director is responsible for programming. The Library welcomes opinions from customers regarding programming. If a patron has a concern or question with a program, they follow the procedure outlined in the Patron Complaint Policy.

Reviewed by the Board of Trustees: November 20, 2019

### Kara's Comments:

Sample Policies: <https://midhudson.org/topics/director-resources/policies/policies-external/>

We had a discussion at a recent meeting about an author doing a book reading for profit purposes. Does the additional language that I suggested above cover this issue?

## MUSEUM PASS

The West Hurley Library is pleased to offer our community participation in a program entitling them to free entrance to several area museums. In order to ensure fair and equitable access to these passes, the Library has established the following guidelines.

Museum passes may be borrowed by Mid-Hudson Library System cardholders who are 18 years of age or over and be in good standing (owe no more than ten dollars for fines or lost materials.)

Each museum determines the rules and regulations governing the use of its museum pass. We strongly recommend that you call or visit the destination's website to confirm their policies and hours prior to your visit. Passes typically exclude special exhibits or events. The Library assumes no responsibility of any kinds arising from the terms of a museum pass.

Museum passes borrowed through the Ulster County Library Association's TixKeeper website follow the rules determined by the association.

Museum passes obtained by the West Hurley Public Library are physical passes that must be picked up. Depending on availability, the passes can be reserved at the circulation desk or over the phone.

In order to borrow a museum pass, a patron must present their library card at the Circulation Desk. The museum pass and pouch will then be checked out to the patron. Only one museum pass may be borrowed at a time by a household. Museum passes are available for a three-day loan period. Passes must be returned on or before the fourth day.

~~Museum passes are available on a walk-in, first come, first served basis. They cannot be reserved.~~

Pass and pouch must be returned in person to the Circulation Desk at the West Hurley Public Library only before closing on the due date. Do not return museum passes in the book drop. Museum passes may not be renewed, and patrons must return one pass before borrowing another.

An overdue fee of one dollar (\$1.00) per day will be charged for museum passes that are not returned by their due date. A pass not returned within seven days after the due date will be considered lost. Borrowers who lose **or damage** museum passes will be charged the current fine or pay the full replacement cost, whichever is greater.

The Library reserves the right to deny the use of museum passes to any borrower who repeatedly loses them or returns them late or to give other families a chance to use the museum passes.

The Director has the discretion to make changes to the lending rules of the museum pass.

Revised by the Board of Trustees: November 20, 2019

### Kara's Comments

Sample Policies:

<https://dnxd23.p3cdn1.secureserver.net/wp-content/uploads/2022/12/Museum-Pass-Policy.pdf>

[https://hclibrary.us/policies/museum\\_pass\\_policy](https://hclibrary.us/policies/museum_pass_policy)

UCLA now offers museum passes so I included that in the rules above. So far, the \$1 per day fine has been adequate. Some organizations charge more.

## PATRON CONFIDENTIALITY

The West Hurley Public Library supports and complies with New York State Law (New York State Civil Practice Law & Rules 4508, Chapter 112, Laws of 1988) with respect to the confidentiality of library records.

### **New York State Civil Practice Law & Rules Section 4509**

*Library records, which contain names or other personally identifying details regarding the users of public, free association, school, college and university libraries and library systems of this state, including but not limited to records relating to the circulation of library materials, computer database searches, interlibrary loan transactions, reference queries, requests for photocopies of library materials, title reserve requests, or the use of audio-visual materials, films or records, shall be confidential and shall not be disclosed except that such records may be disclosed to the extent necessary for the proper operation of the library and shall be disclosed upon request or consent of the user or pursuant to subpoena, court order or where otherwise required by statute.*

Patrons have control over their library cards. Presentation of a valid library card will allow the patron whose name appears on the card (or the parent/legal guardian in the case of a minor child) access to information about the current circulation record of the patron. A person presenting the library card of a friend or family member may check out items on that card with authorization from the cardholder. However, no information from that library record may be given by library staff to a third party.

Revised by the Board of Trustees: November 20, 2019

### **Kara's Comments:**

<https://midhudson.org/topics/director-resources/policies/policies-external/>

# COLLECTION DEVELOPMENT

## Selection of Materials

Library materials are selected and acquired by the Library Director within the parameters of the library budget and mission. Materials are selected for all age groups. Special requests for titles or materials must be made to the Library Director. Print, audio, audio-visual, and electronic formats are included in the collection, budget and space permitting.

The library adheres to the principles contained in the American Library Association Bill of Rights and the American Library Association statement(s) on the "Freedom to Read" and the "Freedom to View." Copies of the three ALA documents are filed with this policy.

Responsibility for the reading, listening, and viewing of Library materials by children rests with their parents or legal guardians. Selection will not be inhibited by the possibility that materials may inadvertently come into the possession of children.

## Challenge of Library Materials

The library does not censor the content of library materials. Patrons objecting to the inclusion of materials they find objectionable can complete a "Challenge of Materials Form" (addendum to this document) and submit it for consideration by the Library Director and Board of Trustees. Once a decision has been reached, the Library will follow the steps outlined in the Patron Complaint Policy.

## Local History

The purpose of the Library Collection is to preserve materials that document the history of West Hurley, and to make these materials available to researchers, exhibition, and the general public. The library holds these materials in trust for future generations, and therefore, for preservation reasons, materials can only be used in the library.

Donations will be accepted only if the Library believes it can make good use of the material. The West Hurley Public Library reserves the right to dispose of materials inappropriate to our collections. Options include returning materials to donors, selling items, and offering collections to other institutions. The Library may enter into cooperative arrangements with other organizations in order to preserve historical materials and/or make them more widely available.

## Weeding

Staff need to evaluate the collection regularly to determine what items should remain in the collection. This helps to ensure that the collection is relevant and meets the community's needs and provides an appealing and up-to-the-date selection of materials. Before being discarded, each item will be reviewed by the Library Director. All items shall be marked as discarded and whenever possible will be recycled or donated to the Library Friends' Group or other nonprofit organizations.

Revised by the Board of Trustees: November 20, 2019

## Kara's Comments:

<https://midhudson.org/topics/director-resources/policies/policies-external/>

## PATRON CODE OF CONDUCT

To ensure constructive use of Library facilities, materials, and services, as well as the personal comfort of all patrons, the Board of Trustees has established the following rules for use:

1. Smoking is not permitted within 100 feet of any library building or entrance.
2. Foul language, **obscene behavior**, or loud and boisterous behaviors are not permitted.
3. **Using, distributing or being under the influence of drugs or alcohol.**
4. **Soliciting in the library or on library property or distributing and/or posting literature that has not been approved by the library administration.**
5. Harassment of Library patrons or staff is not permitted. This includes touching, speaking, acting in a menacing way, **sexual harassment**, or intruding in another's space.  
Violators of rules 1, 2, 3, 4, or 5 may lose library privileges temporarily. Egregious violations will result in permanent loss of all library privileges.
6. A library patron who deliberately alters or destroys computer equipment or software will be subject to financial liability for damages.
7. A library patron who vandalizes, steals, or destroys any library equipment or building components will be subject to financial liability for damages.  
Violators of rules 3 or 4 will forfeit all library privileges. If the conditions warrant, library staff will contact law enforcement.
8. Offensive body odor due to poor personal hygiene, overpowering perfume, or cologne will result in the patron being asked to leave the library until the offending issue is corrected.
9. Food and drink are allowed in the library when offered by the library as refreshments served at a program or at the discretion of library staff.
10. **Patrons will be asked to refrain from using audio equipment, with or without headphones, at a volume that is audible to others.**
11. Footwear and appropriate clothing are required of all patrons.
12. Only animals assisting the disabled are permitted in the building.

If a patron observes inappropriate behavior, he or she should refer it to the Library staff.

~~Under the terms of this policy,~~ **Unless otherwise noted**, library staff may ask patrons to leave for the day if the patron does not follow these rules.

Staff should document any significant incident of patron misconduct and report it to the Director, who will bring it to the Executive Board at his/her discretion. Only the Officers and Director of the Library can administer long-term expulsion from the West Hurley Public Library.

Revised by the Board of Trustees: June 19, 2019

### Kara's Comments:

<https://midhudson.org/topics/director-resources/policies/policies-external/>

Should we specify "illegal" drugs or alcohol in number three?

## PATRON COMPLAINT

A Library patron initially may choose to raise his or her complaint on an informal, verbal basis with the Library's staff. If the patron elects not to do so, or that the complaint proves not susceptible to informal resolution, the patron should complete a "Patron Complaint Form" (addendum to this document) and submit it. The Library Director will review promptly all complaint forms, and where appropriate, attempt to resolve the complaint directly.

If the patron is not satisfied with the response provided, and/or if the Director identifies the situation as one in which Board input is warranted, either or both parties may bring the written complaint to the attention of the Board of Trustees. Patrons desiring to do so may also request an opportunity to address the Board at one of its monthly meetings.

The Board will promptly review all complaints presented to it, provide a written response to the complainant, and take any further remedial action warranted by the particular circumstances.

The decision of the Board of Trustees with respect to a complaint shall be final.

Revised by the Board of Trustees: November 20, 2019

### **Kara's Comments:**

<https://midhudson.org/topics/director-resources/policies/policies-external/>



# TECHNOLOGY

## COMPUTER USE POLICY

1. Users may not change the settings of Library computers without the express permission of the Library staff.
2. Tampering with or disabling the Library's computer hardware or software, or introducing viruses is strictly prohibited.
3. The Library's computers are to be used for lawful purposes only. In accordance with federal and state laws and regulations, patrons are not permitted to use terminals for any illegal or criminal purpose, including but not limited to accessing child pornography or other legally obscene materials, harassment or stalking, unauthorized access to computer systems, or in a manner disruptive of other people's work. The library expressly disclaims any liability or responsibility arising from access to or use of information obtained through electronic information systems; and encompassing any activities by a user found to be illegal, or any consequences thereof.
4. Serious or repeated violations of the Computer Use Policy may result in suspension of Library services.

Reviewed by the Board of Trustees: November 20, 2019

## COPIER/COPYRIGHT/FAX

The Library copier is intended for Library patrons and Library computer use. The cost to copy materials is 15 cents per black and white page, and 25 cents for double-sided and color pages. In the event of paper jams, toner issues, or other malfunctions, Library staff will attempt to provide satisfactory assistance.

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted materials. The WHPL is legally obliged to adhere to the copyright law. Signs advising copyright restrictions are posted by the machines, and patrons may be referred to the librarians for additional information. Patrons using public machines are liable for any infringement.

The Library has fax services available for patrons to request at the circulation desk. Outgoing charges are \$1.00 for the first page and 50 cents for successive pages. Incoming faxes cost 50 cents per page. International calls may include additional charges. Cover sheets are available upon request.

Reviewed by the Board of Trustees: November 20, 2019

## CYBER PRIVACY

The Library protects the privacy of those who borrow materials and request information from the West Hurley Public Library. The Library also protects the privacy of those who use its website and other electronic services. The Technology Committees Procedures Document discloses the type of information gathered when visitors use electronic services provided by the West Hurley Library and how that information is used.

Created by the Board of Trustees: November 20, 2019

## INTERNET USE – CIPA Compliant

Internet Users must abide by the Computer Use Policy.

The West Hurley Public Library does not monitor and has no control over the information accessed through the Internet, nor does the library have complete knowledge of what is on the Internet. As with other library materials, a child's use of the Internet is the responsibility of the parent/legal guardian.

The West Hurley Library shall operate in compliance with the Children's Internet Protection Act (CIPA), and as such shall implement the Internet filtering protocols required by CIPA. The intent of these protocols is to filter descriptions or visual depictions that are obscene, pornographic, or appeal to a prurient interest in nudity, sex, or excretion and, as such, harmful to minors, which is any person under the age of 17.

Library District computers with Internet access are located in public areas shared by patrons of varying ages, background and sensibilities. Individuals are asked to be considerate about accessing potentially controversial information and images. **Specify no obscene images on computer?**

All rules of copyright and personal property must be honored. Information in the form of text, graphics, music, video, software, and other media retrieved or utilized electronically should be considered protected.

Internet access will be available on a first come/first serve basis; but if other patrons are waiting, use will be limited to 60 minutes per person. Library business will take precedence over patron use.

Patrons may only use a web-based service for E-mail. Patrons may download to a flash drive. Users may not install software on library computers.

Reviewed by the Board of Trustees: November 20, 2019

## WEBSITE

The West Hurley Library's official presence on the Internet is its website. As such, the site serves as both a gateway to the Library's resources and services and a public relations tool which presents and promotes the Library in a virtual environment.

The website is created and maintained by library staff. Every effort is made to keep the information current.

The Library strives to ensure that the website is accessible to everyone in accordance with accessibility standards and best practices. To meet this commitment, we voluntarily comply with requirements of Section 508 of the Rehabilitation Act Amendments of 1998 and WCAG 2.0 AA Accessibility Guidelines proposed by the World Wide Web Consortium (W3C).

Created by the Board of Trustees: November 20, 2019

## WIRELESS INTERNET USE

The West Hurley Public Library provides wireless Internet connectivity as a service for users with wireless enabled devices. **No password or other authentication is required.**

The following are a list of rules governing usage of this wireless connection:

- Refrain from using the Library's wireless service as a permanent connection
- Abide/Accept by the Library's Internet Use Policy
- Abstain from viewing inappropriate websites, spamming, or illegal activities
- Understand that you have no expectation of privacy
- Assume all risks associated with using the connection and **not** hold the library and employees responsible for any damage caused to user's hardware or software
- Accept responsibility for configuring your own equipment
- Acknowledge that the library cannot guarantee the service will be available at any specific time
- Wireless printing is subject to the same fees as those laid out in the Copier Policy.
- The library can make no guarantees as to the compatibility of your equipment with the library's network.

Revised by the Board of Trustees: November 20, 2019

### Kara's Comments:

Computer use Samples:

[https://www.saugertiespubliclibrary.org/\\_files/ugd/d19f3e\\_1912b488e5634f6f9ef3ce62b2428d4e.pdf](https://www.saugertiespubliclibrary.org/_files/ugd/d19f3e_1912b488e5634f6f9ef3ce62b2428d4e.pdf)

<https://hudsonarealibrary.org/wp-content/uploads/2023/01/Internet-Access-Policy-approved-April-2022.pdf?x95771>

<https://drive.google.com/file/d/1-NQTXN0Riv-OHYEoA4Lew6qDfWm9s5ZP/view>

<https://heermancelibrary.org/files/2023/01/Internet-Policy-12-21-22.pdf>

## TRUSTEE CONTINUING EDUCATION

~~The Library encourages each library trustee to take advantage of training opportunities for trustees offered by the public library system or statewide agencies and organizations. Likewise, the Library encourages trustees to be active in the state library organization and its efforts to inform the governor and legislature of the benefits and needs of public libraries.~~

~~A specified amount will be allocated in the Library's budget each year for trustee education and travel expenses.~~

The purpose of the Trustee Education Policy is to comply with [New York State Education Law Section 260-D](#) which requires members of library boards of trustees to complete a minimum of two hours of trustee education annually from a provider approved by the Commissioner of Education that addresses the financial oversight, accountability, fiduciary responsibilities, and the general powers and duties of library trustees. Actual and necessary expenses incurred by a member in complying with this section shall be a charge against the library.

According to Section 260-D, each Library Trustee shall demonstrate compliance with the requirements by filing with the President of the Board of Trustees and the Library Director evidence of completion of Trustee Education from an approved provider. Such evidence shall include one of the following:

1. Certificates of completion issued by one or more approved providers; or
2. Signed self-assurance of completion (included at the end of this policy). Such assurance shall identify the approved trustee education providers, a description of the format and content of the completed instruction activities, the date and time such member began and completed each instruction activity and an explanation of why a certificate of completion was not available from such approved providers.

Evidence of completion shall be submitted to the Board President and Library Director by December 31<sup>st</sup> of each year. Should a trustee fail to submit evidence of completion by the above date, the Trustee will be asked by the Board President to submit such evidence of completion by January 20<sup>th</sup>. If this is not done, and the required 2 hours of education have not been completed, the Board will take appropriate action.

Reviewed by the Board of Trustees: January 20, 2021

### Kara's Comments:

Board Training Samples:

<https://midhudson.org/topics/director-resources/policies/policies-internal/>

<https://www.nysenate.gov/legislation/laws/EDN/260-D>

~~Do we want to include that expenses should be approved in advance by the Board President?~~

# PERSONNEL

## Benefits

The Library participates in the New York State & Local Retirement System. The Library Director is required to join upon the first day of employment. All other employees are given the option to opt in/out of the NYS Retirement System

The Library offers the Library Director medical benefits and provides benefits for his/her dependents if he/she chooses. Medical benefits include the full cost of medical insurance as well as a contribution into a Health Savings Account.

## Confidentiality

Staff and patron information is confidential and should not be discussed with any person or persons outside the Library. Copying, removing, allowing unauthorized access to Library or patron documents, information, files or mailing lists, or any form of distribution of patron information is not allowed. Any breach of this confidentiality requirement is grounds for termination. The Library will deny access to these files to creditors, collection agencies and other outside sources, except where an employee has given written consent, or a subpoena has been issued.

## Customer Service

During interactions with staff, patrons can expect to:

- Be acknowledged appropriately
  - Be treated courteously and respectfully
  - Be valued for their input
  - Receive the same high standard of service regardless of age, race, ethnicity, religion, gender, physical limitations, or any other criteria
  - Receive prompt and timely service
  - Receive knowledgeable service and professionalism from all staff
  - Have their privacy and confidentiality respected
1. Courtesy is king: All ~~customers~~ patrons should be treated in a courteous manner at all times. There is no excuse for being rude to a ~~customers~~ patrons, even an irate one.
  2. Go the extra mile for a ~~customer~~ patron: A conscious effort should be made to assist a ~~customer~~ patron in finding what he/she needs and resolving a problem. If there is a policy, it should be stated politely. There is no room in ~~customer~~ patron service for "attitude."
  3. Dress appropriately: Employees dealing with ~~customers~~ patrons are expected to present themselves in a professional manner and dress accordingly.

## Drug and Alcohol Use

If an employee reports to work visibly impaired and cannot perform the required job functions, that employee will not be allowed to work. Proper treatment of the employee, including sending the employee home, should be ascertained. In the event the employee is sent home the employee will not be allowed to drive; the Library will provide suitable transportation.

## Emergency Closings

At times, emergencies such as severe weather, fires or power failures, can disrupt Library operations. In extreme cases, these circumstances may cause the Library to close. The decision to close will be made by the Library Director or Director Designee and an Officer of the Board of Trustees. A telephone-calling tree is used to inform all scheduled employees of a closing or late opening in a timely manner. The time off from scheduled work will be paid. Any employee who is absent due to illness, personal leave or vacation will not be charged for times that the Library is closed.

## Employee Computer Use

Any employee of the Library who has access to a computer is prohibited from using the computer for any purpose that is offensive or harmful to the Library or that violates any Library policy. If an employee is unsure about what constitutes acceptable Internet usage, then he/she should ask the Library Director or the Library Board. Any user violating this policy may be subject to disciplinary or legal action.

Computer, email and Internet usage

- Company employees are expected to use the Internet responsibly and productively. Internet access is limited to job-related activities only and personal use is only permitted during breaks
- Job-related activities include research and educational tasks that may be found via the Internet that would help in an employee's role.
- All Internet data that is composed, transmitted and/or received by West Hurley Public Library computer systems is considered to belong to West Hurley Public Library and is recognized as part of its official data. It is therefore subject to disclosure for legal reasons or to other appropriate third parties.
- The equipment, services and technology used to access the Internet are the property of the West Hurley Public Library and the library reserves the right to monitor Internet traffic and monitor and access data that is composed, sent or received through its online connections.
- Emails sent via the library's Internet network should not contain content that is deemed to be offensive. This includes, though it is not restricted to, the use of vulgar or harassing images/language.
- All sites and downloads may be monitored and/or blocked by the West Hurley Public Library if they are deemed to be harmful and/or not productive to business.

Examples of unacceptable use of the Internet by employees includes, but is not limited to:

- Sending or posting discriminatory, harassing, or threatening message or images on the library Internet network
- Using library computers to perpetuate any type of fraud, and/or software, film or music piracy
- Stealing, using, or disclosing someone else's password without authorization
- Downloading, copying or pirating software and electronic files that are copyrighted or without authorization
- Sharing confidential material outside of the organization
- Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- Passing off personal views as representing those of the organization

## Employee Safety Policy

The Library cannot by itself create a safe and healthy environment. It needs the efforts of all of its employees. The Library's goal is to avoid accidents altogether, but to achieve this goal employees must make a conscious effort to be aware of safety and health hazards at all times.

The following are a limited number of basic precautions.

1. *Observe all smoking restrictions defined by NYS law.*
2. *Make sure that the aisles in work areas are free of debris.*
3. *Close cabinet doors and drawers when not in use.*
4. *Observe good lifting practices.*
5. *Employees should report all injuries, no matter how slight, immediately to their supervisor.*
6. *Employees should report all unsafe conditions or practices immediately to their supervisor.*

*All federal and state OSHA safety requirements must be complied with. In the event that any employee is unsure of the rules or has taken on a new responsibility, he/she should contact the supervisor for additional training.*

## Employee Status

The library workweek is 38 hours.

The Library Director is a full-time employee with a 38-hour workweek. The Board of Trustees recognizes that managing the Library requires flexibility, and at times adjustments to hours may be appropriate to average seventy-six hours per bi-weekly pay period.

Part-time employees work 19 hours or less per week. The Library Director must approve any overtime work.

## Equal Opportunity Employment

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the West Hurley Public Library (hereafter referred to as “the Library”) will be based on merit, qualifications and abilities. The Library does not discriminate in employment opportunities or practices on the basis of race, color, creed, sex, national origin, age, disability, sexual orientation, military or veteran status, citizenship status, ethnicity, marital status or any other characteristic protected by Federal Equal Employment Opportunity and NYS Human Rights laws.

The Library will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of the Library Director or the Personnel Committee. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of discrimination will be subject to disciplinary action, up to and including termination of employment.

## General Housekeeping

All employees are expected to do their part in keeping the Library building clean, neat and organized. All employees are responsible for cleaning up after themselves in common areas such as the work room.

## Leaves

Salaried employees may be granted extended unpaid leave as follows:

1. *Up to 12 weeks for maternity/paternity.*
2. *Up to 4 weeks for bereavement.*
3. *Up to 12 weeks for serious health problems for which medical certification has been provided.*

The Board of Trustees will consider each case on its individual merits.

During the unpaid leaves set forth above, Health insurance coverage, if provided by the Library, shall continue. Any payment in lieu of health insurance that is already in effect prior to the unpaid leave request shall continue.

Part-time employees may also request unpaid leave by submitting each request in writing to the Library Director who will in turn forward such request to the Board of Trustees for consideration. Each case will be considered on its individual merits.

## Nepotism

It is the Library's belief that employees should be hired based on their skills and experience. Nepotism is defined as giving or showing a hiring preference to a family member of a current employee. If the family member would like to apply for a job he/she are welcome to do so through the usual hiring process. The Library does not give one applicant more weight over another because of a familial relationship with a current employee. It is permissible for a family member to gain an advantage by learning about the job earlier than it is advertised to the public.

## Outside Employment

Subject to other policies, the Library has no objection to an employee holding another job (in addition to his/her employment with the Library), as long as he/she can effectively meet the performance standards of his/her position with the Library. However, the Library expects employees to seriously consider the effects that another job may have on endurance, personal health and well-being, performance, and effectiveness with the Library. All employees will be held to the same scheduling demands and standards of performance. Exceptions will not be made for those who hold outside jobs.

## Payday

Payroll period spans two weeks from Saturday to Friday with payment by Friday. Employees are required to maintain an accurate record of all time worked.

## Performance Evaluation

The Library Director will conduct performance evaluations annually. The purpose of these evaluations is to provide feedback, clarify employee duties and identify areas for growth.

The Board of Trustees will annually evaluate the Library Director's administration of the library.



## Personnel Files

The personnel file may contain documents including, but not limited to, the following:

- Personal Services Form to hire, change status, retire, or terminate employment
- Personal Data Form listing personal, educational, and other information related to the employee
- Payroll Authorization Agreement for Automatic Deposits, pay increases
- Federal W-4 and State G-4 Withholding Forms
- Form I-9
- Garnishments, Tax Levy, Subpoenas, court ordered documentation
- Letters of Offer, acceptance, commendation, resignation
- Performance Reviews, written reprimands
- Employment application, resume/curriculum vitae

Periodically, the Library may receive requests from employees or others not employed by the Library requesting information from an employee's personnel file. Personal information maintained about an employee shall be made available for inspection only at the employee's request, except for information requested through a subpoena. Employees may contact the Library Director to arrange for an inspection of their own personnel records.

## Recruitment/Hiring

The library director is appointed by and responsible to the Library Board. The director recommends new employees to the board. The Library Board approves and hires all employees.

Vacancy announcements shall be published by posting announcements in the library for at least ten days. Such postings will normally specify the title and salary of the positions; the nature of the work to be performed; the minimum essential requirements of the position; the time and place to apply; the closing date for receiving applications; and other pertinent information.

Where appropriate, civil service procedures will be applied during the selection process.

## Sexual Harassment Prevention

1. West Hurley Public Library policy applies to all employees, applicants for employment, interns, whether paid or unpaid, contractors and persons conducting business, regardless of immigration status, with West Hurley Public Library. In the remainder of this document, the term “employees” refers to this collective group.<sup>1</sup>
2. Sexual harassment will not be tolerated. Any employee or individual covered by this policy who engages in sexual harassment or retaliation will be subject to remedial and/or disciplinary action (e.g., counseling, suspension, termination).
3. Retaliation Prohibition: No person covered by this Policy shall be subject to adverse action because the employee reports an incident of sexual harassment, provides information, or otherwise assists in any investigation of a sexual harassment complaint. West Hurley Public Library will not tolerate such retaliation against anyone who, in good faith, reports or provides information about suspected sexual harassment. Any employee of West Hurley Public Library who retaliates against anyone involved in a sexual harassment investigation will be subjected to disciplinary action, up to and including termination. All employees, paid or unpaid interns, or non-employees<sup>2</sup> working in the workplace who believe they have been subject to such retaliation should inform the library director or a member of the board personnel committee. All employees, paid or unpaid interns or non-employees who believe they have been a target of such retaliation may also seek relief in other available forums, as explained below in the section on Legal Protections.
4. Sexual harassment is offensive, is a violation of our policies, is unlawful, and may subject West Hurley Public Library to liability for harm to targets of sexual harassment. Harassers may also be individually subject to liability. Employees of every level who engage in sexual harassment, including managers and supervisors who engage in sexual harassment or who allow such behavior to continue, will be penalized for such misconduct.
5. West Hurley Public Library will conduct a prompt and thorough investigation that ensures due process for all parties, whenever management receives a complaint about sexual harassment, or otherwise knows of possible sexual harassment occurring. West Hurley Public Library will keep the investigation confidential to the extent possible. Effective corrective action will be taken whenever sexual harassment is found to have occurred. All employees, including managers and supervisors, are required to cooperate with any internal investigation of sexual harassment.
6. All employees are encouraged to report any harassment or behaviors that violate this policy. West Hurley Public Library will provide all employees with a complaint form for employees to report harassment and file complaints.
7. The library director is **required** to report any complaint that they receive, or any harassment that they observe or become aware of, to the board personnel committee.
8. This policy applies to all employees, paid or unpaid interns, and non-employees and all must follow and uphold this policy. This policy must be provided to all employees and should be posted prominently in all work locations to the extent practicable (for example, in a main office, not an offsite work location) and be provided to employees upon hiring.

<sup>1</sup> While this policy specifically addresses sexual harassment, harassment because of and discrimination against persons of all protected classes is prohibited. In New York State, such classes include age, race, creed, color, national origin, sexual orientation, military status, sex, disability, marital status, domestic violence victim status, gender identity and criminal history.

<sup>2</sup> A non-employee is someone who is (or is employed by) a contractor, subcontractor, vendor, consultant, or anyone providing services in the workplace. Protected non-employees include persons commonly referred to as independent contractors, “gig” workers and temporary workers. Also included are persons providing equipment repair, cleaning services or any other services provided pursuant to a contract with the employer.

## Staff Cell Phone

The Library pays for a cell phone service for the director so that he/she can remain current in the new technologies and in contact with the library staff. It is expected that the cell phone be only used in a legal manner. This includes the ban of hand-held devices while operating a vehicle. The cell phone can in no way be used to violate the library's discrimination and harassment policies.

The bills for the phone shall be reviewed regularly.

Lost or damaged devices are the responsibility of the employee.

Business conversations should be held in private.

## Staff Code of Ethics

Library employees significantly influence or control the selection, organization, preservation, and dissemination of information.

In a political system grounded in an informed citizenry, library employees are explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

As an employee of the West Hurley Public Library, I will:

- Provide prompt, accurate and friendly service.
- Treat all library users with equal respect and consideration.
- Consider every question valid.
- Provide information expressing various viewpoints.
- Be committed to intellectual freedom, encouraging the exchange of ideas and information and resisting all efforts to censor Library resources.
- Foster and support teamwork, cooperation and involvement to all levels of the organization
- Treat my co-workers with respect and honesty and work as a team with the Library Board in support of the Library's goals.
- Respect and protect the privacy of library patrons to the fullest extent permissible by law
- Distinguish clearly, in my actions and statements, between my personal philosophy and attitudes and those of my Library.
- Avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues, or my Library.

Employees receive the Staff Code of Ethics annually with their evaluation. A copy will also be posted in the staff workroom.

## Staff Development

In accordance with New York State Minimum Standards for public libraries, the Library is committed to providing annual technology training for staff ~~having a trained and educated workforce~~. Staff members are urged to improve their skills in librarianship, and, with the permission of the library director, to attend library conferences and other professional meetings.

The library will make every effort to arrange schedules to permit staff members wishing to take further study to continue working at the library. As time allows, staff members may be asked to attend continuing education workshops. For travel and personal expenses involved in attending such workshops, mileage reimbursements will be paid, and reimbursement for other expenses may be allowed. Mileage rates will be paid at the rate set annually by the Mid-Hudson Library System. Within the library, training or information programs for the staff may be initiated either by the library director or by interested staff members.

## Standards of Conduct

Employees in any organization are expected to observe certain standards of job performance and acceptable conduct. While the Library cannot list every possible area of unacceptable conduct, set forth below are examples of conduct which would not be acceptable in the work environment and in the case of gross misconduct, may result in immediate termination on the first offense.

### *Job Performance*

1. Below average work quality or quantity.
2. Excessive absenteeism or tardiness.

### *Gross Misconduct*

1. Insubordination.
2. Failure to follow safety policy or procedures.
3. Dishonesty.
4. Rudeness or lack of cooperation with employees, customers, or vendors.
5. Theft of company property or the personal property of others.
6. Falsifying or altering Library records including employment application, time sheets or medical documents.
7. Altercations, fighting, threatening, or intimidating others.
8. Violation of the Library's policy against discrimination and harassment.
9. Retaliating against any employee who makes a complaint or participates in an investigation relating to the Library's policy against discrimination and harassment.
10. Being under the influence of, using, possessing, or selling alcohol or illegal controlled substances on Library property or while conducting business for the Library.
11. Gambling on Library property or while conducting Library business.
12. Sleeping during working hours.
13. Possessing a firearm or other dangerous weapons on Library property or while conducting Library business.
14. Being convicted of a crime that indicates unfitness for the job or raises a threat to the safety or well-being of Library employees.
15. Disclosing company confidential or proprietary information to unauthorized persons.
16. Not following the documented policies of the Library.

## Termination of Employment

A part-time employee who resigns is expected to give the Library two weeks' notice, except in the case of illness or family emergency. A full-time employee who resigns is expected to give the Library one months' notice, except in the case of illness or family emergency.

Employees may be terminated for substandard work without notice during a 3-month probationary period.

After the probation period, employees will receive oral and written counseling to improve substandard performance. If performance does not improve, the employee will be given written notice that performance must be improved within the next 30 days; if performance does not improve the employee will be terminated. Serious offenses, including but not limited to theft, use of drugs or alcohol while at work, physical assault, bringing a weapon onto library property, or a determination of sexual harassment on the part of an employee, may result in immediate dismissal without counseling. Employees who are terminated may file a grievance with the President of the Board of Trustees within five days of termination. A grievance must be made in writing.

If budget cuts necessitate a reduction in staffing levels, the Library Director will determine which positions can be cut to create the least negative effect on Library services and submit a plan to the Library's Board of Trustees for approval before implementation.

## Time Off

The library will be closed for 6 holidays per year. The Director is paid their regular hourly rate of pay for holiday closings and time off for jury duty. Part-time employees are paid their regular hourly rate of pay for holiday closings and time off for jury duty which takes place during the employee's scheduled work hours.

The director shall receive 10 vacation days each calendar year after the first year; 15 days after 5 years and 20 days after 10 years. The Director is encouraged to take vacation in the year in which it was earned. The maximum cumulative is 5 vacation days total.

If severed from employment, the Director will be compensated for any accrued, unused vacation following the effective date of severance. During the first and last years of employment, vacation time shall be prorated on the basis of one-tenth of the stipulated time for each month of employment for that calendar year.

The Director shall have 10 sick days per calendar year which are granted at the beginning of the calendar year. The maximum cumulative is 15 sick days total.

Paid time off to conduct personal business will be available to the Director each year, beginning with two days a year and adding one day a year to a total of five in the fourth year of employment with a maximum of five. These days are non-cumulative.

Accumulated sick days and personal days are forfeited upon termination of employment.

Up to five days funeral leave shall be provided per event in case of death in the immediate family (spouse, mother, father, child, sibling, grandparents, mother-in-law, or father-in-law). The Director may use other available paid leave for additional time off as necessary. Special circumstances will be considered by the Board.

Unpaid leave will be granted by the Board of Trustees in accordance with the Family and Medical Leave Act. Medical insurance will be continued for employees who receive health coverage through the library or employees will receive payments in lieu of coverage through the library.

## Whistleblowers

The West Hurley Public Library's Code of Ethics ("Code") requires Directors, Board members and Employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Organization, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. It is the responsibility of all directors, officers and employees to comply with the Code and to report violations or suspected violations in accordance with this Whistleblower Policy.

No director, officer, or employee who in good faith reports a violation of the Code shall suffer harassment, retaliation, or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Organization prior to seeking resolution outside the Organization.

Employees should share their questions, concerns, suggestions, or complaints with someone who can address them properly. In most cases, the Library Director is in the best position to address an area of concern. However, if you are not comfortable speaking with your director or you are not satisfied with the response, you are encouraged to speak with the President of the Board of Trustees to report suspected violations.

The President of the board of directors shall address all reported concerns or complaints regarding corporate accounting practices, internal controls, or auditing. Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

The Director or Board President will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated, and appropriate corrective action will be taken if warranted by the investigation.

Copies of this policy will be made available on the library website as well as in the library.

## Worker's Compensation and Unemployment Insurance

Employee benefits under each program are determined by the law and are available for employee use in the event of injury or unemployment.

Revised by the Board of Trustees (in part): June 17, 2019

### Kara's Comments:

Employee Policy Samples:

<https://midhudson.org/topics/director-resources/policies/policies-internal/>

Do we want to offer any sick time to part time employees?